



FACT SHEET



**Hazardous Waste Permit
Safety-Kleen Corporation
Gering, Nebraska**

September 1998

INTRODUCTION: This fact sheet provides information regarding the permit process under Title 128, *Rules and Regulations Governing Hazardous Waste Management in Nebraska*; Title 40 Code of Federal Regulations (CFR); the requirements of the federal Resource Conservation and Recovery Act (RCRA), Section 3005; and the Nebraska Environmental Protection Act, Neb. Rev. Stat. §§81-1501 through 81-1532, for the Safety-Kleen Corporation hazardous waste storage facility in Gering, Nebraska. This permitting process is being jointly conducted by the Nebraska Department of Environmental Quality (NDEQ) and the U.S. Environmental Protection Agency (EPA), Region 7.

BACKGROUND: Safety-Kleen Corporation has operated a hazardous waste storage facility at 220379 Sunset Drive in Gering, Nebraska, under a hazardous waste storage permit since June 21, 1990, and was assigned the RCRA identification number NED000687178. The Gering facility accumulates hazardous waste in two container storage areas and one above-ground storage tank.

The two container storage areas combined can store 3,943 gallons of hazardous waste. The storage areas have secondary containment and comply with Title 128, 40

CFR Part 264 Subpart I, and 40 CFR Part 270 requirements for container storage areas.

The above-ground storage tank has a 12,000-gallon capacity. The tank has secondary containment with a chemical-resistant coating and complies with the standards of Title 128, 40 CFR Part 264, Subpart J, and 40 CFR Part 270 for tank storage units.

Permitting Regulatory Authority

Nebraska received final authorization from EPA in 1985 to implement its own hazardous waste management program, except for those federal program elements covered by the 1984 Hazardous and Solid Waste Amendments (HSWA). Authority for the corrective action portion of the RCRA program and other recently issued regulations has not been delegated to Nebraska and must be administered by EPA.

The new five-year permit sets forth all of the applicable state requirements and adds the HSWA requirements EPA must administer. The permit consists of two parts: Part I, RCRA Storage Facility, and Part II, Corrective Action and Other Requirements.

The NDEQ portion (Part I) of the permit is

issued under authority of Nebraska Statutes §§81-1505(13) et seq. and Title 128, *Rules and Regulations Governing Hazardous Waste Management in Nebraska*. Part I includes standard permit conditions, general facility conditions, requirements for storage in containers, and requirements for storage in tanks.

The EPA portion (Part II) addresses corrective action requirements. Part II is issued under the authority of RCRA Section 3005. RCRA Section 3004(u) requires that all RCRA permits issued after November 8, 1984, address releases of hazardous waste or hazardous constituents from any solid waste management unit (SWMU) at facilities seeking RCRA permits. Permits issued under RCRA Section 3005 contain a schedule of compliance for corrective action. Part II also addresses the HSWA requirements of waste minimization, land disposal restrictions, and air emission standards set forth in Subparts AA (for process vents), BB (for equipment leaks), and CC (for organics).

EPA has completed its assessment of the facility and determined that no corrective action is needed to protect human health and the environment. The RCRA facility assessment, revised background information document, and other documents supporting this determination are included in the administrative record.

If additional SWMUs are identified in the future, the permit provides that the facility will investigate any potential releases of hazardous waste or hazardous constituents from the newly identified SWMUs. If releases of hazardous waste or hazardous constituents from newly identified or existing SWMUs are identified, the permit requires the facility to provide a remedial action plan to mitigate the effects of such

releases.

PUBLIC PARTICIPATION: The purpose of the public participation process is to ensure that interested parties have the opportunity to evaluate the conditions specified in the permit and add their comments to the permit decision-making process.

As required by Title 128, *Rules and Regulations Governing Hazardous Waste Management in Nebraska*, and 40 CFR Part 124, the public was allowed 45 days to comment on the draft permits. The public comment period began July 15, 1998, and ended August 31, 1998. Public notice of the comment period was published in the Scottsbluff Star-Herald and was broadcast on radio stations KOLT-FM and KMDR-FM. A copy of the public notice was sent to interested citizens, environmental groups, news media, and government officials and agencies.

An information session was held July 21, 1998, at Gering Public Library, 1055 "P" St., Gering, from 7p.m. until 9 p.m. A public hearing was not held in conjunction with the public comment period. The administrative record was available for public review at the following locations:

Gering Public Library
Reference Desk
1055 "P" St.
Gering, Nebraska
Normal library hours

EPA Region 7
Information Center
726 Minnesota Avenue
Kansas City, Kansas 66101
Monday through Friday
9 a.m. to 3 p.m.

NDEQ
Atrium Building, Suite 400
1200 N Street
Lincoln, Nebraska 68509
Monday through Friday
8 a.m. to 5 p.m.

PERMIT ORGANIZATION

The Permit was issued September 8, 1998, and was effective immediately. The permit is organized in the following manner:

Part I

Cover Sheet - sets forth basic legal authority.

Section I - general permit conditions that are the regulatory requirements specified in Title 128 Chapters 1, 13, 14, 15, and 21.

Section II - general facility permit conditions that are the regulatory requirements specified in Title 128 Chapters 13 and 21, which incorporate by reference 40 CFR Part 264.

Section III - specific operating conditions, limitations, procedures, and requirements that implement the regulatory requirements of Title 128 Chapters 13, 21.002, 21.009, and 21.010, which incorporate by refer-

ence 40 CFR Part 264, Subparts I and J.

Part II

Cover Sheet - sets forth basic legal authority.

Section I - defines the meanings of terms used throughout the permit.

Section II - standard permit conditions that are the regulatory requirements of 40 CFR Part 270.

Section III - corrective action requirements that address the regulatory requirements of 40 CFR 264.101.

Section IV - facility-specific conditions that address the regulatory requirements of 40 CFR Part 264 Subparts AA, BB, and CC, as well as the land disposal restrictions of 40 CFR Part 268.

Section V - provides a compliance schedule for submitting equipment information for all equipment subject to 40 CFR Part 264, Subpart BB.

Section VI - summary of the planned and required reporting requirements pursuant to Part II of the permit issued to the facility.